From: Michael Brook
To: Microsoft ATR
Date: 11/20/01 12:51pm
Subject: Settlement

I oppose the settlement with Microsoft.
1. The settlement gives the company the ability to seek restoration of a microsoft configuration beginning 14 days after purchase. There is no restriction on this practice in the settlement. This means that the company can if it wishes, cause a window or other notice to appear 3suggesting² that I use the Microsoft middleware each and every time I attempt to use another company1s software.
2. The company has the ability to prevent me from using chosen software if it 3fails to implement a reasonable technical requirement 3. This technical requirement is not specified, and the decision is left to the company for its discretion. This gives the company broad discretion to prevent the use of non-Microsoft products on the argument that it fails to implement this unspecified technical requirement.
3. It allows Microsoft the discretion to decide which portions of code and API 3compromise security² giving the company the ability to shield massive amounts of code from developers in order to favor Microsoft products.
4. It allows Microsoft 3sole discretion² to determine what is Windows and what is software. This goes to the heart of the initial case. Users were prevented from removing a simple web browser from their computer because the company had determined that it was part of the OS. I can foresee Microsoft determining that ALL of its software it part of the OS, including such things as word processors, spreadsheets, etc., and forcing users to use these products rather than competitors products.
5. It prevents users from removing Microsoft software from their computer. While users can remove the 3icons² it provides no guarantee than end-users can remove unwanted programs from the drive, but rather allows Microsoft to hide the programs so that they can remain untouched on the drive, and allows the company to constantly remind the user that it would prefer they use the Microsoft product.

All of these aspects allow the company to continue to behave in the way that has hindered innovation in computer software for nearly a decade, and allows the company even greater freedom to suppress third-party software developers at the expense of the company1s own software.